

# Minutes of Meeting with Navy on Hunters Point Shipyard Response May 31, 2018

Navy: Laura Duchnak, Kim Ostertag, Lawrence Lansdale, Karen Barba  
Tetra Tech EC: Kent Weingardt, Andy Bolt

Laura introduced the meeting as the Navy's desire to directly communicate with Tetra Tech and provide some candid feedback on their perspective. The Navy does not want to create issues but would like a more open dialogue with Tetra Tech to work to resolve issues at HPNS. Laura covered the following specific topics:

- Navy Draft Reports: The final version is unlikely to change significantly. No date for report finalization provided.
- It requests for the draft reports: The Navy feels they've provided us the reports, yet we keep asking for them and making statements that we don't have them. We explained that we didn't have all the appendices until about 2 weeks ago, and only receive the building report about a week and a half ago. We still do not have certain supporting information referenced in the draft reports. Laura was under impression we received the complete reports. We explained that we were initially provided reports only, with no appendices. Laura stated they will provide us any missing data associated with the reports. Tetra Tech will follow up with a request for any specific additional information needed.
- Disconnects in Media: Laura stated the Navy doesn't agree with Tetra Tech's letters and public statements about the Navy draft reports. The Navy believes the draft reports are based on factual data and are scientifically based.
- Navy Draft Reports: Laura recommended that Tetra Tech seriously dig into the reports, as the reports identify more issues than those identified by the Anomalous Sampling Report. The Navy draft report on Building Scans also identifies more than just the scan speed issue. Laura noted the following about the reports:
  - Navy challenge is that the EPA comments say the problem is wider than what the Navy draft reports indicate. Creates a challenge for the Navy in developing the sampling and analysis plan.
  - Laura and Lawrence commented that the Navy reports state the data is "questionable," not "falsified." Kent noted that from Tetra Tech's read, the Navy reports seem to imply the data was falsified, and other times refer to it as suspect.
  - The regulators are looking for extensive rework, including excavation of the survey units, rescanning, and sampling.

The meeting then turned to discussion of Tetra Tech's letter offering to pay to resample the areas where Tetra Tech performed work which were called into question in the Navy draft reports.

The Navy felt Tetra Tech's offer wasn't serious for the following reasons:

- The Navy does not think the proposed one to two-month sampling period was realistic, especially given the expected review periods for the sampling plan itself. The Navy noted that the public comment period is expected to be 60 days.
- The offer for the sampling lacked detail.

- The Navy did not appreciate that Tetra Tech's letter was obtained by the press and that Tetra Tech held a press conference to discuss it before Laura physically received Tetra Tech's letter.

The Navy then shared its preliminary outline for the Sampling and Analysis Plan (SAP) based on initial discussion with the regulatory agencies. Specifically:

- The Agencies have ideas on minimum sampling requirements for the resampling effort. This is not yet defined, but the Navy is speculating it may require re-excavation of at least some of the trenches, rescanning of the excavated trenches, sampling of the bottom and sidewalls. This is all under discussion/evaluation.
- The Parcel G SAP is under development.
- There is a FOIA request that is now public regarding agency comments on the draft SAP.
- The Navy's goal was to focus on the areas of concern (based on the Navy's draft reports), and not the entire site. However, based on the lack of trust from regulators/community, the focus seems to be shifting to re-characterizing the entire site as safe.

The discussion turned to other challenges facing the Navy as fallout from Hunters Point. Some examples included:

- Soil Disposal from HPS: The Navy didn't like Tetra Tech's statements about the disposal not being performed by Tetra Tech. The Navy noted that Tetra Tech had responsibility for radiological characterization and removal before turning the soil over for disposal.
- The Navy commented that Tetra Tech's work at other BRAC sites in the Bay Area is being called into question by various community members.
- Parcel A: Andy asked about Parcel A and the Navy's plan, which Laura indicated it is a challenge the Navy will need to work through.

The conversation then turned to the June 15 response that Tetra Tech owes the Navy. The Navy asked that the response focus on the details of Tetra Tech's offer to pay for the resampling of the areas where Tetra Tech performed work and were called into question in the Navy's draft reports.

- Provide additional details on what Tetra Tech intended by offering to pay for the resampling.
- Describe what Tetra Tech is willing to pay for.
- Describe any proposed mechanics for making the payment. Andy described a couple of options. Laura indicated that the detail needs to be worked out with the Contracting Officer.

### Action Items

1. Andy offered to provide the Navy with Tetra Tech's and its outside experts' comments on the Navy draft reports, assuming it was ok with the Tetra Tech legal team. Laura expressed an interest, but also felt she needed to check with the Navy legal team.
  - a. Update: The Tetra Tech legal team approved sharing the comments. If the Navy agrees, Kent will submit the Tetra Tech comments to Karen.

2. Andy and Kent spoke to Karen about a follow-up meeting after the June 15 submittal to further discuss the effort. Karen was going to discuss this with the Navy team.